

Stephanie J. Peet, Esq. (PA Bar No. 91744)
Michael D. Ridenour, Esq. (PA Bar No. 323576)
JACKSON LEWIS P.C.
Three Parkway
1601 Cherry Street, Suite 1350
Philadelphia, Pennsylvania 19102
Telephone: (267) 319-7802
Fax: (215) 399-2249
Attorneys for Defendants Bucknell University, Drexel University, Lafayette College, and Lehigh University

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF PENNSYLVANIA**

LAWRENCE “POPPY” LIVERS,
On his own behalf and on behalf of similarly
situated persons,

Plaintiff,

v.

NATIONAL COLLEGIATE ATHLETIC
ASSOCIATION, et al.,

Defendants.

Civil Action No. 2:17-cv-04271-MMB

**DEFENDANTS’ MOTION TO DISMISS PLAINTIFF’S COMPLAINT PURSUANT TO
FED. R. CIV. P. 12(b)(1) AND 12(b)(6)**

For the reasons set forth in the accompanying memorandum of law, Defendants Bucknell University, Drexel University, Lafayette College, and Lehigh University (collectively “Defendants”), by and through their undersigned counsel, respectfully request that the Court enter the accompanying Order dismissing Plaintiff’s “Complaint – Class Action and Jury Demand” against Defendants with prejudice, as a matter of law, pursuant to Fed. R. Civ. P. 12(b)(1) and 12(b)(6).

CERTIFICATION OF SERVICE

I hereby certify that on this 28th day of December, 2017, I caused true and correct copies of the foregoing Motion to Dismiss Plaintiff's Complaint Pursuant to Fed. R. Civ. P. 12(b)(1) and 12(b)(6), along with a proposed form of Order, memorandum of law, and this Certification of Service, to be served upon the following via the Court's ECF system:

Paul L. McDonald, Esq.
P L MCDONALD LAW LLC
1800 JFK Boulevard
Suite 300
Philadelphia, Pennsylvania 19103
Attorneys for Plaintiff

L. Julius M. Turman, Esq.
Philip J. Smith, Esq.
CONSTANGY BROOKS SMITH
& PROPHETE LLP
351 California St., Suite 200
San Francisco, California 94104
Attorneys for all defendants except
Bucknell Univ., Drexel Univ., Lafayette Coll.,
and Lehigh Univ.

Sarah Kroll-Rosenbaum, Esq.
Steven B. Katz, Esq.
CONSTANGY, BROOKS, SMITH
& PROPHETE, LLP
2029 Century Park East, Suite 1100
Los Angeles, California 90067
Attorneys for all defendants except
Bucknell Univ., Drexel Univ., Lafayette Coll.,
and Lehigh Univ.

John E. Macdonald, Esq.
CONSTANGY BROOKS SMITH &
PROPHETE LLP
989 Lenox Drive, Suite 206
Lawrenceville, New Jersey 08468
Attorneys for all defendants except
Bucknell Univ., Drexel Univ., Lafayette Coll.,
and Lehigh Univ.

/s/ Stephanie J. Peet
Stephanie J. Peet, Esq.